IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 24TH NOVEMBER 2006 / 3RD AGRAHAYANA 1928

Bail Appl..No. 6948 of 2006()

CP.66/2006 of J.M.F.C.,VARKALA
CRIME NO.335/05 OF KALLAMBALAM POLICE STATION

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PETITIONERS/ACCUSED

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1. ANEESH, S/O.SUNDARAN,
   AGED 20 YEARS, KUNNUM PURATHU VEEDU,
   ASARIKONAM, NAVAIKULAM VILLAGE,
   THIRUVANANTHAPURAM DIST.

2. REJI KUMAR, S/O.SOMAN,
   AGED 20 YRS., PARAKKETTIL VEEDU,
   ASARIKONAM, NAVAIKULAM VILLAGE,
   THIRUVANANTHAPURAM DIST.

3. GANESAN, (WRONGLY SHOWN AS NATESAN
   IN THE C.P.PROCEEDINGS) S/O.GOPI,
   AGED 29 YRS, PARAKKETTIL VEEDU, ASARIKONAM,
   NAVAIKULAM VILLAGE, THIRUVANANTHAPURAM DIST.

BY ADV. SRI.M.R.RAJESH

RESPONDENTS: COMPLAINANT

STATE OF KERALA, REP. BY THE PUBLIC
PROSECUTOR, HIGH COURT OF KERALA.

BY PUBLIC PROSECUTOR SHRI P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 24/11/2006 , THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.RAMKUMAR, J.

B.A.No. 6948 OF 2006

DATED THIS THE **24th** DAY OF NOVEMBER, 2006

O R D E R

Petitioners who are accused Nos.2, 4 and 6 in Crime No.335/05 of Kallambalam Police Station for offences punishable under sections 143, 147, 148, 341, 323, 324 and 308 read with section 149 IPC and section 27 of the Arms Act, seeks anticipatory bail.

2. Admittedly, non-bailable warrant of arrest is pending against the petitioners and the case is now in the committal stage before the J.F.C.M., Varkala as C.P.No.66/06. Anticipatory bail cannot be granted to nullify the process issued by a court of competent jurisdiction. There is no reason why the petitioners should not seek regular bail. Accordingly, if the petitioners surrender before the committal court and file an application for regular bail within 10 days from today, the same shall be considered and disposed of, preferably on the same date on which it is filed.

With this observation, this petition is dismissed.

V.RAMKUMAR, JUDGE

dsn